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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,597	02/05/2001	Ed Wilson	WILSON-1	9312

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[REDACTED] EXAMINER

HSIEH, SHIH YUNG

ART UNIT	PAPER NUMBER
2837	

DATE MAILED: 08/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/776,597	Applicant(s) Wilson	
	Examiner Shih-yung Hsieh	Art Unit 2837	
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>			
Period for Reply			
<p>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</p>			
<ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 			
Status			
<p>1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>Jul 30, 2002</u></p>			
<p>2a) <input checked="" type="checkbox"/> This action is FINAL. 2b) <input type="checkbox"/> This action is non-final.</p>			
<p>3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11; 453 O.G. 213.</p>			
Disposition of Claims			
<p>4) <input checked="" type="checkbox"/> Claim(s) <u>1-17</u> is/are pending in the application.</p>			
<p>4a) Of the above, claim(s) _____ is/are withdrawn from consideration.</p>			
<p>5) <input type="checkbox"/> Claim(s) _____ is/are allowed.</p>			
<p>6) <input checked="" type="checkbox"/> Claim(s) <u>1-17</u> is/are rejected.</p>			
<p>7) <input type="checkbox"/> Claim(s) _____ is/are objected to.</p>			
<p>8) <input type="checkbox"/> Claims _____ are subject to restriction and/or election requirement.</p>			
Application Papers			
<p>9) <input type="checkbox"/> The specification is objected to by the Examiner.</p>			
<p>10) <input type="checkbox"/> The drawing(s) filed on _____ is/are a) <input type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).</p>			
<p>11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.</p>			
<p>12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.</p>			
Priority under 35 U.S.C. §§ 119 and 120			
<p>13) <input type="checkbox"/> Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</p>			
<p>a) <input type="checkbox"/> All b) <input type="checkbox"/> Some* c) <input type="checkbox"/> None of:</p> <ol style="list-style-type: none"> 1. <input type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____. 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). 			
<p>*See the attached detailed Office action for a list of the certified copies not received.</p>			
<p>14) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).</p>			
<p>a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.</p>			
<p>15) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.</p>			
Attachment(s)			
<p>1) <input type="checkbox"/> Notice of References Cited (PTO-892)</p>		<p>4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____</p>	
<p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p>		<p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p>	
<p>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____</p>		<p>6) <input type="checkbox"/> Other: _____</p>	

Art Unit: 2837

1. The examiner apologizes for overlooking the "Prior Art" legend in Fig. 2.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-2, and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liebchen (DE3924736) in view of Carrico (5,477,764).

Regarding claim 1, Liebchen discloses a device for preventing wear on the strings comprising: a sleeve (5, by definition sleeve is an encasement into which an object fits, see Webster's II New Riverside University Dictionary) with a conduit (6), said block having a neck section (5) sized to fit within the string aperture of the guitar (the aperture the neck 5 fit in as shown in Fig. 2), and a head section (4) that is sized to be too large to pass through the string aperture, wherein the string aperture is sized to enable a guitar string to pass therethrough.

The difference between Liebchen's device and claim 1 is that claim 1 recites a tubular sleeve that defines a central conduit.

Carrico teaches a tubular sleeve (Fig. 7) that defines a central conduit (224) for attaching a string to a musical instrument. It would have been obvious to one having ordinary skill in the

Art Unit: 2837

art to modify Liebchen's device as taught by Carrico to include a tubular sleeve that defines a central conduit for the purpose of attaching a string to a musical instrument.

Regarding claim 2, Liebchen discloses said conduit (6) expands within said head section (4), thereby creating a curved interior surface (Fig. 2).

Regarding claims 6-8, it is obvious that the device of Liebchen in view of Carrico uses the same method steps recited in claims 6-8 to attach a string and reduce its wear.

4. Claims 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Prior Art (Applicant's Fig. 2) in view of Liebchen.

Regarding claim 12, The Prior Art discloses the claimed invention (the body, the neck and the tuning mechanisms are considered essential parts of a guitar) except replaceable tubular sleeve lining said string apertures to said tuning mechanisms, wherein said tuning mechanisms cause said strings to bend about and contact said tubular sleeves.

Liebchen teaches replaceable tubular sleeve (5, by definition sleeve is an encasement into which an object fits, see Webster's II New Riverside University Dictionary) lining said string apertures (6) to said tuning mechanisms, wherein said tuning mechanisms cause said strings to bend about and contact said tubular sleeves (Fig. 2). It would have been obvious to one having ordinary skill in the art to modify the Prior Art's guitar as taught by Liebchen to include replaceable tubular sleeve lining said string apertures to said tuning mechanisms for the purpose of preventing the strings from breaking.

Art Unit: 2837

Regarding claims 13 and 14, the Prior Art discloses the claimed invention except that each of said tubular sleeves has a neck section sized to fit within one of said string apertures and a head section that is sized to be too large to pass through that string aperture, and each of said tubular sleeves defines a conduit through which one of guitar strings pass, wherein each said conduit expands within said head section, thereby creating a curved interior surface against which the guitar string is biased by one of said tuning mechanism.

Liebchen teaches the claimed limitations recited in claims 13 and 14, (Fig. 2). It would have been obvious to one having ordinary skill in the art to modify the Prior Art's guitar as taught by Liebchen to include such limitations for the purpose of preventing the strings from breaking.

5. Claims 3-4, and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liebchen in view of Carrico as applied to claims 1 and 6 above respectively, and further in view of Borisoff (4,535,670).

Liebchen in view of Carrico disclose the claimed invention except disclosing the material of the tubular sleeve being synthetic Teflon.

Borisoff teaches using a synthetic Teflon sleeve (64, 114) to reduce frictions on the respective strings. It would have been obvious to one having ordinary skill in the art to modify Liebchen in view of Carrico's device and method as taught by Borisoff to include the material of

Art Unit: 2837

the tubular sleeve being synthetic Teflon for the purpose of reducing the frictions on the respective strings.

6. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liebchen in view of Carrico as applied to claims 1 and 6 respectively above, and further in view of Cipriani (5,227,571).

Liebchen in view of Carrico disclose the claimed invention except disclosing the material of the tubular sleeve being a soft metal including aluminum.

Cipriani teaches using a soft metal aluminum (col.5, line 57) for a saddle and bridge. It would have been obvious to one having ordinary skill in the art to modify Liebchen in view of Carrico's device and method as taught by Cipriani to include the material of the tubular sleeve being a soft metal aluminum for the purpose of providing durability.

7. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Prior Art in view of Liebchen as applied to claim 12 above, and further in view of Borisoff.

The Prior Art in view of Liebchen disclose the claimed invention except disclosing the material of the tubular sleeve being synthetic Teflon.

Borisoff teaches using a synthetic Teflon sleeve (64, 114) to reduce frictions on the respective strings. It would have been obvious to one having ordinary skill in the art to modify the Prior Art in view of Liebchen's guitar as taught by Borisoff to include the material of the

Art Unit: 2837

tubular sleeve being synthetic Teflon for the purpose of reducing the frictions on the respective strings.

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Prior Art in view of Liebchen as applied to claim 12 above, and further in view of Cipriani.

The Prior Art in view of Liebchen disclose the claimed invention except disclosing the material of the tubular sleeve being a soft metal (aluminum is a soft metal as admitted by the applicant).

Cipriani teaches using a soft metal aluminum (col.5, line 57) for a saddle and bridge. It would have been obvious to one having ordinary skill in the art to modify the Prior Art in view of Liebchen's guitar as taught by Cipriani to include the material of the tubular sleeve being a soft metal for the purpose of providing durability.

9. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection. Further, the amendment to claims 1 and 6 does not add any limitations to overcome the references.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2837

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication should be directed to (David) S.Y. Hsieh at telephone number (703) 308-1031.



SHIH-YUNG HSIEH
PRIMARY EXAMINER